	OC 1 File (s Bankruptcy C	d 12/31/09 @cument	Entered Page 1		12:57:14	Desc ³ M	aın
	- · -		-3 ·		Vo	oluntary Petitio	n
Name of Debtor (if individual, enter Last, First, Middle):			Name of Joi	Name of Joint Debtor (Spouse) (Last, First, Middle):			
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):				All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):			
Last four digits of Soc. Sec. or Indvidual-Taxpaye (if more than one, state all):	er I.D. (ITIN) No./C	Complete EIN		Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):			
Street Address of Debtor (No. and Street, City, an	d State):		Street Addre	ess of Joint Deb	tor (No. and Stre	et, City, and Sta	ite):
ZIP CODE County of Residence or of the Principal Place of Business:			County of R	ZIP CODE County of Residence or of the Principal Place of Business:			
Mailing Address of Debtor (if different from street	t address):		Mailing Add	Mailing Address of Joint Debtor (if different from street address):			
	ZIP C			ZIP CODE			
Location of Principal Assets of Business Debtor (if different from str	eet address above)): 			Z	IP CODE
Type of Debtor (Form of Organization) (Check one box.)	(Check one	☐ Clearing Bank		(Chapter of Bank the Petition is	ruptcy Code Un Filed (Check o	
☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entire check this box and state type of entity below	Sing 11 U Railr Stock Com Clea			□ Chapter 7 □ Chapter 15 Petition for Recognition of a Foreign Main Proceeding □ Chapter 11 □ Main Proceeding □ Chapter 12 □ Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding		of a Foreign eding Petition for of a Foreign	
	Othe	r 	Nature of Debts (Check one box.)				
	Debt under	Tax-Exempt En Check box, if applie or is a tax-exempt r Title 26 of the U (the Internal Reve	organization nited States	ble.) Debts are primarily consumer debts, defined in 11 U.S.C. business de sanization ed States Debts are primarily consumer business de business de sincurred by an individual primarily for a			ebts are primarily isiness debts.
Filing Fee (Check o	ne box.)		Check one l		Chapter 11 I	Debtors	
Full Filing Fee attached.					ness debtor as de	fined in 11 U.S.	.C. § 101(51D).
Filing Fee to be paid in installments (application for the court's consideration for the court's consideration and the pay fee except in installments. Purpose to pay fee except in installments.	ion certifying that t	he debtor is	Debtor	is not a small	business debtor a	s defined in 11	U.S.C. § 101(51D).
unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			Debtor insider				
			Check all applicable boxes: A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).				
Statistical/Administrative Information			01 010	<u></u>		3 1120(0).	THIS SPACE IS FOR
Debtor estimates that funds will be available Debtor estimates that, after any exemp distribution to unsecured creditors.				id, there will be	e no funds availab	ole for	COURT USE ONLY
Estimated Number of Creditors	9 1,000- 5,000	5,001-	10,001-	□ 25,001- 50,000	50,001- 100,000	Over 100,000	
Estimated Assets	to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	☐ More than \$1 billion	
Estimated Liabilities	to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion	

	Case 09-49603 Doc 1 Filed 12/31/09	Entered 12/31/09 12:57:14	Desc Main Page 2	
Voluntary Petiti (This page must b	on Document be completed and filed in every case.)	Rage 20of 9:		
(]	All Prior Bankruptcy Cases Filed Within Last 8 Y	ears (If more than two, attach additional sheet.)		
Location Where Filed:		Case Number:	Date Filed:	
Location Where Filed:		Case Number:	Date Filed:	
N (D)	Pending Bankruptcy Case Filed by any Spouse, Partner, or Affili		1	
Name of Debtor:		Case Number:	Date Filed:	
District:		Relationship:	Judge:	
10Q) with the Se	Exhibit A d if debtor is required to file periodic reports (e.g., forms 10K and curities and Exchange Commission pursuant to Section 13 or 15(d) Exchange Act of 1934 and is requesting relief under chapter 11.)	Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).		
Exhibit A	is attached and made a part of this petition.	x		
			Date)	
	Exhibit	C		
Does the debtor of	own or have possession of any property that poses or is alleged to pose	a threat of imminent and identifiable harm to pu	blic health or safety?	
Yes, and E	xhibit C is attached and made a part of this petition.			
□ No.				
Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition.				
If this is a joir	If this is a joint petition:			
☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.				
	Information Regarding t			
(Check any applicable box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.				
	There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.				
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)				
	Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)			
		(Name of landlord that obtained judgment)		
		(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and			
	Debtor has included with this petition the deposit with the court of filing of the petition.	f any rent that would become due during the 30-	day period after the	
	Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

Case 09-49603 Doc 1 Filed 12/31/09 Entered 12/31/09 12:57:14 Desc Main Page 3 of 9 Document B 1 (Official Form) 1 (1/08) Page 3 Voluntary Petition Name of Debtor(s): (This page must be completed and filed in every case.) Signatures Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 (Check only one box.) or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. ☐ I request relief in accordance with chapter 15 of title 11, United States Code. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I Certified copies of the documents required by 11 U.S.C. § 1515 are attached. have obtained and read the notice required by 11 U.S.C. § 342(b). Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States Code, chapter of title 11 specified in this petition. A certified copy of the specified in this petition. order granting recognition of the foreign main proceeding is attached. X X Signature of Debtor (Signature of Foreign Representative) X Signature of Joint Debtor (Printed Name of Foreign Representative) Telephone Number (if not represented by attorney) Date Signature of Attornev* Signature of Non-Attorney Bankruptcy Petition Preparer X I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as Signature of Attorney for Debtor(s) defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information Printed Name of Attorney for Debtor(s) required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum Firm Name fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor Address or accepting any fee from the debtor, as required in that section. Official Form 19 is Printed Name and title, if any, of Bankruptcy Petition Preparer Telephone Number Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect. Address Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. Date The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition. Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above. X Signature of Authorized Individual Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an Printed Name of Authorized Individual individual.

If more than one person prepared this document, attach additional sheets conforming

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or

to the appropriate official form for each person.

both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Title of Authorized Individual

Date

B 1D (Official Form 1, Exhibit D) (12/09)

UNITED STATES BANKRUPTCY COURT

Northern District of Illinois

In re	James D. Martens	Case No.
	Debtor	(if known)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- ☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

Case 09-49603 Doc 1 Filed 12/31/09 Entered 12/31/09 12:57:14 Desc Main Document Page 5 of 9

B 1D (Official Form 1, Exh. D) (12/09) - Cont.

Page 2

□ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

- □ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
 - ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
 - ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
 - ☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Certificate Number: 03591-ILN-CC-009387538

CERTIFICATE OF COUNSELING

I CERTIFY that on December 21, 2009	, at <u>11:2</u>	1o'clock PM CST,	
James Martens	received from		
Chestnut Health Systems, Inc.			
an agency approved pursuant to 11 U.S.C	C. § 111 to provi	de credit counseling in the	
Northern District of Illinois	, an ind	ividual [or group] briefing that complied	
with the provisions of 11 U.S.C. §§ 109(l	n) and 111.		
A debt repayment plan was not prepared	If a debt re	epayment plan was prepared, a copy of	
the debt repayment plan is attached to thi	s certificate.		
This counseling session was conducted b	y internet		
Date: December 22, 2009	By /	Michael Hodge	
	Title Cert	ified Credit Counselor	

^{*} Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

B 1D (Official Form 1, Exhibit D) (12/09)

UNITED STATES BANKRUPTCY COURT

Northern District of Illinois

In re Kathleen	Kathleen Martens	Case No.
Debtor		(if known)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- ☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

Entered 12/31/09 12:57:14 Desc Main Case 09-49603 Doc 1 Filed 12/31/09 Document Page 8 of 9

B 1D (Official Form 1, Exh. D) (12/09) - Cont.

Page 2

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

	☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental
	or mental deficiency so as to be incapable of realizing and making rational
decisio	ons with respect to financial responsibilities.);

- ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
 - ☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: Lawley P

Date: 12-28-2009

Certificate Number: 03591-ILN-CC-009387539

CERTIFICATE OF COUNSELING

, at <u>11:21</u>	o'clock PM CST,		
received from			
§ 111 to provide cred	lit counseling in the		
, an individual	[or group] briefing that complied		
and 111.			
If a debt repayme	ent plan was prepared, a copy of		
certificate.			
internet	 ·		
By Michael Ho	dge redit Counselor		
	s 111 to provide crece , an individual and 111. If a debt repayment certificate. internet By Name Michael Ho		

^{*} Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).